

# EXHIBIT A

**From:** [Papenhausen, Lauren](#)  
**To:** [Fuchs, Douglas](#); [Kendall, Michael](#); [sheketoffr@aol.com](#)  
**Cc:** [Fuller, Anthony](#); [Coe-Odess, Matt](#); [Andrew Tomback](#); [sheketoffr@aol.com](#)  
**Subject:** RE: USC Employees' unredacted motion  
**Date:** Monday, September 27, 2021 6:59:23 PM

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[WARNING: External Email]

Doug,

As discussed in our call yesterday, we will be sending you this evening via FTP a set of documents we would like a USC record-keeper to certify as business records. In the interest of reducing any burden on USC, we have narrowed this to what we believe is a manageable quantity. We do have a significantly greater quantity of documents that we have an interest in getting certified and admitting in the case; however, our hope is if we are able to work out some agreement on this subset of documents, it may help us reach agreements on additional documents by category. Please let us know as soon as possible, but in any event no later than 5 pm ET Wednesday, whether USC agrees to certify some or all of these documents as business records. Also, as noted on our call, it is possible we may supplement with a handful of documents over the next few days.

Thanks,  
Lauren

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**From:** Fuchs, Douglas <[DFuchs@gibsondunn.com](mailto:DFuchs@gibsondunn.com)>  
**Sent:** Sunday, September 26, 2021 12:12 AM  
**To:** Kendall, Michael <[michael.kendall@whitecase.com](mailto:michael.kendall@whitecase.com)>; [sheketoffr@aol.com](mailto:sheketoffr@aol.com)  
**Cc:** Fuller, Anthony <[anthony.fuller@hoganlovells.com](mailto:anthony.fuller@hoganlovells.com)>; Coe-Odess, Matt <[mcoe@gibsondunn.com](mailto:mcoe@gibsondunn.com)>; Andrew Tomback <[atomback@mclaughlinstern.com](mailto:atomback@mclaughlinstern.com)>; Papenhausen, Lauren <[lauren.papenhausen@whitecase.com](mailto:lauren.papenhausen@whitecase.com)>; [sheketoffr@aol.com](mailto:sheketoffr@aol.com)  
**Subject:** RE: USC Employees' unredacted motion

2 pm pacific?

**Douglas Fuchs**

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**From:** Kendall, Michael <[michael.kendall@whitecase.com](mailto:michael.kendall@whitecase.com)>  
**Sent:** Saturday, September 25, 2021 6:15 PM  
**To:** Fuchs, Douglas <[DFuchs@gibsondunn.com](mailto:DFuchs@gibsondunn.com)>; [sheketoffr@aol.com](mailto:sheketoffr@aol.com)  
**Cc:** Fuller, Anthony <[anthony.fuller@hoganlovells.com](mailto:anthony.fuller@hoganlovells.com)>; Coe-Odess, Matt <[mcoe@gibsondunn.com](mailto:mcoe@gibsondunn.com)>; Andrew Tomback <[atomback@mclaughlinstern.com](mailto:atomback@mclaughlinstern.com)>; Papenhausen, Lauren <[lauren.papenhausen@whitecase.com](mailto:lauren.papenhausen@whitecase.com)>; [sheketoffr@aol.com](mailto:sheketoffr@aol.com)  
**Subject:** RE: USC Employees' unredacted motion

[WARNING: External Email]

I am free all day Sunday.

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**From:** Fuchs, Douglas <[DFuchs@gibsondunn.com](mailto:DFuchs@gibsondunn.com)>

**Sent:** Saturday, September 25, 2021 7:21 PM

**To:** Kendall, Michael <[michael.kendall@whitecase.com](mailto:michael.kendall@whitecase.com)>; [sheketoffr@aol.com](mailto:sheketoffr@aol.com)

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**Subject:** RE: USC Employees' unredacted motion

Mike, I'm not sure there is much to talk about. We have filed a motion to quash the Checchio and Vranich subpoenas. We will be doing the same concerning the keeper subpoenas in part because we have never received the documents at issue. But in the interest of keeping an open dialogue, I'm willing to have a call. What time works for you tomorrow?

**Douglas Fuchs**

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**From:** Kendall, Michael <[michael.kendall@whitecase.com](mailto:michael.kendall@whitecase.com)>

**Sent:** Saturday, September 25, 2021 11:45 AM

**To:** Fuchs, Douglas <[DFuchs@gibsondunn.com](mailto:DFuchs@gibsondunn.com)>; [sheketoffr@aol.com](mailto:sheketoffr@aol.com)

**Cc:** Fuller, Anthony <[anthony.fuller@hoganlovells.com](mailto:anthony.fuller@hoganlovells.com)>; Coe-Odess, Matt <[mcoe@gibsondunn.com](mailto:mcoe@gibsondunn.com)>; Andrew Tomback <[atomback@mclaughlinstern.com](mailto:atomback@mclaughlinstern.com)>; Papenhausen, Lauren <[lauren.papenhausen@whitecase.com](mailto:lauren.papenhausen@whitecase.com)>; [sheketoffr@aol.com](mailto:sheketoffr@aol.com)

**Subject:** RE: USC Employees' unredacted motion

[WARNING: External Email]

Doug,

We will not withdraw any of our subpoenas yet, but would like to discuss resolution of at least some of our differences.

I am happy to work out the wording of a certification that would obviate Ms. Vranich's and Mr. Checchio's appearance. It should state USC has never issued such a reduced receipt. We do not accept your proposed additional language. To the extent you seek support in Judge Gorton's ruling that USC's admissions practices are not on trial, that means nothing should be argued in either direction of that issue with respect to the proposed stipulation.

We also need to discuss the record keeper we need to appear. I expect we would like them to appear on Friday.

Are you free to discuss these two topics today or tomorrow?

Mike

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**From:** Fuchs, Douglas <[DFuchs@gibsondunn.com](mailto:DFuchs@gibsondunn.com)>

**Sent:** Friday, September 24, 2021 11:04 AM

**To:** Kendall, Michael <[michael.kendall@whitecase.com](mailto:michael.kendall@whitecase.com)>; [sheketoffr@aol.com](mailto:sheketoffr@aol.com)

**Cc:** Fuller, Anthony <[anthony.fuller@hoganlovells.com](mailto:anthony.fuller@hoganlovells.com)>; Coe-Odess, Matt <[mcoe@gibsondunn.com](mailto:mcoe@gibsondunn.com)>; Andrew Tomback <[atomback@mclaughlinstern.com](mailto:atomback@mclaughlinstern.com)>; Papenhausen, Lauren <[lauren.papenhausen@whitecase.com](mailto:lauren.papenhausen@whitecase.com)>

**Subject:** FW: USC Employees' unredacted motion

Mike and Bob, in light of Judge Gorton's ruling with regard to Alexandra Bitterlin and Scott Wandzilak, please let us know whether you will withdraw your subpoenas to Al Checcio, Ray Gonzales, Lauren Whittam and/or Tracey Vranich.

**Douglas Fuchs**

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**From:** Coe-Odess, Matt

**Sent:** Friday, September 24, 2021 7:33 AM

**To:** Frank, Stephen (USAMA) 1 <[Stephen.Frank@usdoj.gov](mailto:Stephen.Frank@usdoj.gov)>; Stearns, Ian (USAMA) <[Ian.Stearns@usdoj.gov](mailto:Ian.Stearns@usdoj.gov)>; O'Connell, Justin (USAMA) <[Justin.O'Connell@usdoj.gov](mailto:Justin.O'Connell@usdoj.gov)>; Kendall, Michael <[michael.kendall@whitecase.com](mailto:michael.kendall@whitecase.com)>; [sheketoffr@aol.com](mailto:sheketoffr@aol.com)

**Cc:** Fuchs, Douglas <[DFuchs@gibsondunn.com](mailto:DFuchs@gibsondunn.com)>; Fuller, Anthony <[anthony.fuller@hoganlovells.com](mailto:anthony.fuller@hoganlovells.com)>

**Subject:** USC Employees' unredacted motion

Hi all,

Attached is an unredacted motion by USC Employees, which was filed partially under seal at Dkt. 2264. Please note that the redacted portion is in reference to the health of Mr. Checcio's wife.

Thanks,  
Matt

**Matt Coe-Odess**

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